

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAN WESSON .357 MAGNUM,  
SERIAL NUMBER 94762; AND  
FIVE ROUND OF AMMUNITION,

Defendants.

NO: 2:14-CV-0177-TOR

FINAL ORDER OF FORFEITURE

Plaintiff, United States of America, alleged in a Verified Complaint for Forfeiture In Rem that the Defendant firearm and ammunition (hereafter “Defendant property”) is subject to forfeiture to the United States pursuant to 18 U.S.C. § 924. ECF No. 1.

The Court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. Venue is proper pursuant to 28 U.S.C. § 1395.

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1 The Defendant property being forfeited is described as follows:

2 -a black Dan Wesson .357 magnum with black rubber grips, Serial # 94762,  
3 seized on or about December 23, 2012, from BUD RAY BROWN, by the Spokane  
4 Police Department, and adopted by ATF for forfeiture on or about August 7, 2013;  
5 and,

6 -three rounds of Winchester .357 Mag ammunition and two rounds of FC 57  
7 ammunition, seized on or about December 23, 2012, from BUD RAY BROWN,  
8 by the Spokane Police Department, and adopted by ATF for forfeiture on or about  
9 August 7, 2013.

10 On October 21, 2014, the Bureau of Alcohol, Tobacco, Firearms and  
11 Explosives (ATF) executed the Warrant of Arrest In Rem. The returned warrant  
12 was filed with the Court under the above cause number on October 21, 2014. ECF  
13 Nos. 6 and 7.

14 Notice of Civil Forfeiture Action was posted on the official government  
15 website beginning October 19, through November 17, 2014, as required by Rule  
16 G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and  
17 Asset Forfeiture Actions, as evidenced by the Notice of Publication filed herein on  
18 February 2, 2015. ECF Nos. 8, 8-1 and 8-2. At the latest, the claim period expired  
19 on December 18, 2014. To date, no claims have been received or filed pursuant to  
20 the internet posting.

1 ATF did not identify any potential claimants other than Defendant Bud Ray  
2 Brown, therefore, the United States did not provide direct notice of this forfeiture  
3 action.

4 On April 17, 2013, Defendant Bud Ray Brown and the United States entered  
5 into a plea agreement (ECF No. 27) filed in the related Eastern District of  
6 Washington criminal case, *United States v. Bud Ray Brown*, Case Number: 13-CR-  
7 00010-LRS. Bud Ray Brown agreed to the forfeiture of the Defendant property in  
8 said plea agreement.

9 It appearing to the Court that no timely claims have been made to the  
10 Defendant property;

11 ACCORDINGLY, IT IS HEREBY ORDERED that the Defendant property,  
12 a black Dan Wesson .357 magnum with black rubber grips, Serial # 94762; and  
13 three rounds of Winchester .357 Mag ammunition and two rounds of FC 57  
14 ammunition, is hereby forfeited to the United States of America, and no right, title,  
15 or interest shall exist in any other person.

16 IT IS FURTHER ORDERED that the United States shall dispose of the  
17 forfeited property in accordance with law.

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1 The District Court Executive is hereby directed to enter this Order and  
2 Judgment accordingly, furnish copies to counsel, and **CLOSE** the file.

3 **DATED** February 5, 2015.



*Thomas O. Rice*  
THOMAS O. RICE  
United States District Judge